

LWGF
4.8.1
2/14/14

Sanga, Ravi

From: Sanga, Ravi
Sent: Friday, February 14, 2014 3:10 PM
To: 'Dyer, Miles'; Ernst, William D
Subject: RE: Section 10 of the Rivers and Harbors Act
Attachments: Rivers and Harbor Act Memo 2_13_14.pdf

Will and Miles Attached are EPAs comments on the Section 10 Memo submitted by Jorgensen. Work can proceed while the Respondents prepare and submit a final memo for EPAs records.

Regards,

Ravi

From: Dyer, Miles [mailto:mdyer@JorgensenForge.com]
Sent: Tuesday, February 11, 2014 8:15 AM
To: Sanga, Ravi
Subject: RE: Section 10 of the Rivers and Harbors Act

Ravi

The last paragraph on page 2 and 1st paragraph on page 3 incorporates the explanation as requested.

Miles

From: Sanga, Ravi [mailto:Sanga.Ravi@epa.gov]
Sent: Monday, February 10, 2014 3:54 PM
To: Dyer, Miles
Cc: Ernst, William D
Subject: RE: Section 10 of the Rivers and Harbors Act

Thanks Miles – This explanation that you provided below is good and should be added to the memo.

From: Dyer, Miles [mailto:mdyer@JorgensenForge.com]
Sent: Monday, February 10, 2014 3:38 PM
To: Sanga, Ravi
Cc: Ernst, William D
Subject: RE: Section 10 of the Rivers and Harbors Act

Ravi

The rip rap (rocks) in the northwest corn will be removed and placed in a designated area for later re-use by Boeing. There is no excavation other than removal of this rip rap. The clean sand is laid onto the river bed in approximately a 5 foot wide path, 6 inches deep. The purpose of the sand is to hold sediment in place as the sheet steel is vibrated into the earth.

Miles

From: Sanga, Ravi [mailto:Sanga.Ravi@epa.gov]
Sent: Monday, February 10, 2014 2:44 PM
To: Dyer, Miles
Cc: Ernst, William D
Subject: RE: Section 10 of the Rivers and Harbors Act

So it looks like there is will be some excavation along with vibrating the sheetpile in along with some clean sand being placed on the inside of the coffer dam ? Is this correct ? If it is, this will be need to be added to the memo. I'm hoping to get you formal comments by tomorrow and approving this Wed if not tomorrow.

From: Dyer, Miles [<mailto:mdyer@JorgensenForge.com>]

Sent: Monday, February 10, 2014 11:31 AM

To: Sanga, Ravi

Subject: FW: Section 10 of the Rivers and Harbors Act

Ravi

Please see the attached word version as requested

From: Sanga, Ravi [<mailto:Sanga.Ravi@epa.gov>]

Sent: Monday, February 10, 2014 10:14 AM

To: Dyer, Miles

Subject: RE: Section 10 of the Rivers and Harbors Act

Miles Can you send me a word version of this memo ? Thanks.

From: Dyer, Miles [<mailto:mdyer@JorgensenForge.com>]

Sent: Wednesday, February 05, 2014 1:15 PM

To: Sanga, Ravi; Ernst, William D

Cc: Chu Rebecca; Tom Colligan; Amy Essig Desai; Ryan Barth; Dee Gardner; Jim Trueblood

Subject: RE: Section 10 of the Rivers and Harbors Act

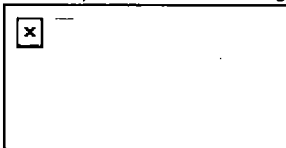
Ravi

Please find attached a memorandum in response to your email requesting information pertaining to Section 10 (Rivers and Harbors Act) of the Clean Water Act.

Thank you for your continuing assistance.

Miles Dyer

Director, Environmental Programs



Jorgensen Forge Corporation
8531 East Marginal Way South
Seattle, Washington 98108
Office Ph#: (206) 965-1352
Mobile: (740) 777-7808
Fax: (206) 357-1071
mdyer@jorgensenforge.com

From: Sanga, Ravi [mailto:Sanga.Ravi@epa.gov]
Sent: Monday, February 03, 2014 5:38 PM
To: Ernst, William D; Dyer, Miles
Cc: Chu Rebecca
Subject: Section 10 of the Rivers and Harbors Act

Will and Miles – It looks like JF/Boeing will need to meet substantive compliance of Section 10 (Rivers and Harbors Act) of the CWA. This would require a memo to the agency (me) that documents when the coffer dam would be installed, the dimensions of the dam, purpose, depth etc and that it would not adversely affect navigability because it will be clearly tagged (state how) and that the USCG would be informed and when the dam would be removed. I'll be out Tues (tomorrow), but let's talk Wed about this issue.

Ravi

***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
image001.jpg
which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****



**UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL
CLEANUP

February 13, 2014

Mr. Miles Dyer
Acting Director, Environmental Compliance
Senior Staff Environmental Engineer
Jorgensen Forge Corporation
8531 E. Marginal Way S
Tukwila, Washington 98108

Mr. Will Ernst
EO&T EHS Remediation
The Boeing Company
PO Box 3707 M/C 1W-12
Seattle, Washington 98124

Re: Section 10 of the Rivers and Harbors Appropriations Act, Jorgensen Forge
Outfall Project, Lower Duwamish Waterway Superfund Site, Seattle, WA

Dear Mr. Dyer and Mr. Ernst:

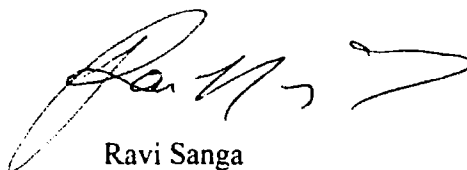
The U.S. Environmental Protection Agency has reviewed the Memorandum addressing Section 10 of the Rivers and Harbors Appropriations Act and Section 401 of the Clean Water Act (the memo). The EPA is providing a conditional approval of the memo provided the following issue below is addressed.

The accompanying figures are lacking a graphic showing the position of the coffer dam. The location of the coffer dam needs to be added to Figure 3. Since the upper side of the sheetpile wall will be at +15 MLLW, the EPA concurs that the sheetpile remaining after removal of the coffer dam would be well out of the realm of waters of the United States.

The memorandum provided to EPA is a memo from the Respondents contractor to the Respondents. Given that EPA's orders are always with the Respondents, the final memo submittal as well as all future document submittals must be from the Respondents to EPA vs. a work product directly from the contractor.

The EPA requires a final Memorandum for their records from the Respondents with the modified figures within 10 days upon receipt of this letter. Should you have any questions, I can be reached at 206-553-4092 or sanga.ravi@epa.gov. Inquiries of a legal nature should be directed to Charles Ordine at 206-553-1504 or ordine.charles@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ravi Sanga', with a stylized flourish at the end.

Ravi Sanga
Remedial Project Manager
Site Cleanup Unit 3
Office of Environmental Cleanup

cc:

Philip Spadaro
The Intelligence Group

Dee Gardner
Sound Earth Strategies, Inc.

Tom Colligan
Floyd Snider

Amy Essig-Desai
Farallon

Ryan Barth,
AQEA

Maureen Sanchez
Ecology

Jeff Kray
Marten Law

Holly Arrigoni, EPA

Rebecca Chu, EPA

Charles Ordine, EPA

Shawn Blocker, EPA



**UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL
CLEANUP

February 13, 2014

Mr. Miles Dyer
Acting Director, Environmental Compliance
Senior Staff Environmental Engineer
Jorgensen Forge Corporation
8531 E. Marginal Way S
Tukwila, Washington 98108

Mr. Will Ernst
EO&T EHS Remediation
The Boeing Company
PO Box 3707 M/C 1W-12
Seattle, Washington 98124

Re: Section 10 of the Rivers and Harbors Appropriations Act, Jorgensen Forge
Outfall Project, Lower Duwamish Waterway Superfund Site, Seattle, WA

Dear Mr. Dyer and Mr. Ernst:

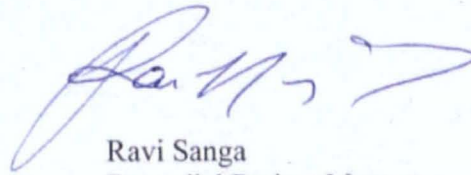
The U.S. Environmental Protection Agency has reviewed the Memorandum addressing Section 10 of the Rivers and Harbors Appropriations Act and Section 401 of the Clean Water Act (the memo). The EPA is providing a conditional approval of the memo provided the following issue below is addressed.

The accompanying figures are lacking a graphic showing the position of the coffer dam. The location of the coffer dam needs to be added to Figure 3. Since the upper side of the sheetpile wall will be at +15 MLLW, the EPA concurs that the sheetpile remaining after removal of the coffer dam would be well out of the realm of waters of the United States.

The memorandum provided to EPA is a memo from the Respondents contractor to the Respondents. Given that EPA's orders are always with the Respondents, the final memo submittal as well as all future document submittals must be from the Respondents to EPA vs. a work product directly from the contractor.

The EPA requires a final Memorandum for their records from the Respondents with the modified figures within 10 days upon receipt of this letter. Should you have any questions, I can be reached at 206-553-4092 or sanga.ravi@epa.gov. Inquiries of a legal nature should be directed to Charles Ordine at 206-553-1504 or ordine.charles@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ravi Sanga", with a stylized flourish at the end.

Ravi Sanga
Remedial Project Manager
Site Cleanup Unit 3
Office of Environmental Cleanup

cc:

Philip Spadaro
The Intelligence Group

Dee Gardner
Sound Earth Strategies, Inc.

Tom Colligan
Floyd Snider

Amy Essig-Desai
Farallon

Ryan Barth,
AQEA

Maureen Sanchez
Ecology

Jeff Kray
Marten Law

Holly Arrigoni, EPA

Rebecca Chu, EPA

Charles Ordine, EPA

Shawn Blocker, EPA